

**UNITED STATES DISTRICT COURT  
FOR THE Northern District of Illinois – CM/ECF LIVE, Ver 6.3.3  
Eastern Division**

Craigville Telephone Co., et al.

Plaintiff,

v.

Case No.: 1:19-cv-07190

Honorable John Z. Lee

T-Mobile USA, Inc., et al.

Defendant.

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**NOTIFICATION OF DOCKET ENTRY**

This docket entry was made by the Clerk on Friday, December 3, 2021:

MINUTE entry before the Honorable Jeffrey T. Gilbert: Plaintiffs' Motion to Compel Production of Rule 30(b)(6) Record Custodian(s) by December 20, 2021, embedded in a Joint Brief Concerning Plaintiffs' Motion to Compel Production of Rule 30(b)(6) Record Custodian(s) by December 20, 2021 [185] is denied. In the Court's view, and in the exercise of its discretion over the discovery process, Plaintiffs' proposal is inefficient; uneconomical; unduly burdensome; is likely to lead to more disputes about deposition topics and discovery generally, not less; and is not proportional to the needs of this case. In short, the Court agrees with Defendants' positions as outlined in the Joint Brief [184]. The issues raised in the Joint Brief [184] are closely related and in some instances identical to some of the issues already before the Court in the context of Defendants' motions for protective orders relating to Plaintiffs' Rule 30(b)(6) deposition notices. Those notices contain 79 individual deposition topics for Defendant T-Mobile and 58 individual topics for Defendant Intelliquent [176] [179]. Defendants' motions currently are being briefed [178][185]. Plaintiffs say they want to go forward now with records custodian depositions limited only to what they say are Rule 30(b)(6) topics as to which Defendants already have agreed to produce a witness. Defendant T-Mobile, however, points out in the Joint Brief that Plaintiffs' list of supposedly "agreed topics" is not necessarily accurate as to T-Mobile which could lead to bickering about the proper subjects for even a records custodian deposition. Joint Brief [185], at 11, fn. 5. The parties inability, through counsel, to agree to much of anything of substance or as a matter of procedure in this case to date also causes the Court to question whether deposition topics that Plaintiffs say are agreed actually will turn out to be so once the rubber hits the road, so to speak. Further, the Court agrees with Defendants that it is inefficient to convene a Rule 30(b)(6) deposition now only to require, at least potentially, that deponent to come back for another deposition depending upon the resolution of certain matters raised in Defendants' pending motions for protective order [176][179]. Finally, Plaintiffs' push now to convene depositions the parties have been arguing about for months and to require those depositions to occur on or before 12/20/21, during the run-up to the coming holidays, and during a pandemic imposes unnecessary burden and stress on the discovery process. It makes more sense, in the Court's view, to convene the Rule 30(b)(6) depositions, including depositions of records custodians, that Plaintiffs are requesting on a combined 136 topics, or some subset thereof, once Defendants' pending motions for

protective order [176][179] are resolved. Accordingly, for all these reasons, Plaintiffs' Motion to Compel Production of Rule 30(b)(6) Record Custodian(s) by December 20, 2021, embedded in the parties' Joint Brief Concerning Plaintiffs' Motion to Compel Production of Rule 30(b)(6) Record Custodian(s) by December 20, 2021 [185] is denied. It is so ordered. Mailed notice(lp, )

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